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2
3 UNITED STATES DISTRICT COURT
4 CENTRAL DISTRICT OF CALIFORNIA
5 SOUTHERN DIVISION

6 GLOBEFILL, INC.,)
7)
8 PLAINTIFF,)
9)
10 V.)
11 COASTAL COCKTAILS, INC.,)
12 ET AL.,)
13)
14) SA CV 17-00438-AG (JCGX)
15 DEFENDANTS.) JANUARY 17, 2018
16) (2:43 P.M. TO 2:50 P.M.)
17)
18 _____)

14 REDACTED TRANSCRIPT

15 SETTLEMENT CONFERENCE

16 BEFORE THE HONORABLE DOUGLAS F. MC CORMICK
17 UNITED STATES MAGISTRATE JUDGE

18 APPEARANCES: SEE NEXT PAGE
19 COURT REPORTER: RECORDED; COURT SMART
20 COURTROOM DEPUTY: NANCY BOEHME
21 TRANSCRIBER: DOROTHY BABYKIN
22 COURTHOUSE SERVICES
23 1218 VALEBROOK PLACE
24 GLENDORA, CALIFORNIA 91740
25 (626) 963-0566

24 PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING;
25 TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE.

1 APPEARANCES:

2 FOR THE PLAINTIFF GLOBEFILL, INC.:

3 BAKER & HOSTETLER LLP
4 BY: JOHN WEBER
5 C. DENNIS LOOMIS
6 ATTORNEYS AT LAW
7 11601 WILSHIRE BOULEVARD
8 SUITE 1400
9 LOS ANGELES, CALIFORNIA 90025

10 FOR THE DEFENDANT COASTAL COCKTAILS, INC.:

11 WILSON SONSINI GOODRICH & ROSATI PC
12 BY: EDWARD G. POPLAWSKI
13 LISA D. ZANG
14 ATTORNEYS AT LAW
15 633 WEST FIFTH STREET
16 SUITE 1550
17 LOS ANGELES, CALIFORNIA 90071

18 ALSO PRESENT:

19 JONATHAN HEMI
20 CLIENT REPRESENTATIVE GLOBEFILL, INC.

21 MARK GREENHALL, INDIVIDUAL AND
22 CLIENT REPRESENTATIVE, COASTAL COCKTAILS
23
24
25

I N D E X
SA CV 17-00438-AG(JCGX) JANUARY 17, 2018
PROCEEDINGS: SETTLEMENT CONFERENCE

1 SANTA ANA, CALIFORNIA; JANUARY 17, 2018; 2:43 P.M.

2 THE CLERK: PLEASE REMAIN SEATED AND COME TO ORDER.

3 THIS UNITED STATES DISTRICT COURT IS NOW IN SESSION.

4 THE HONORABLE DOUGLAS F. MC CORMICK, UNITED STATES

5 MAGISTRATE JUDGE, PRESIDING.

6 WE'RE ON THE RECORD ON CASE SA CV 17-438. IT'S

7 GLOBEFILL, INCORPORATED VERSUS COASTAL COCKTAILS, INC., ET AL.

8 COUNSEL, YOUR APPEARANCES, PLEASE.

9 MR. WEBER: I COULDN'T HEAR YOU. SORRY.

10 THE COURT: SHE'D LIKE YOU TO MAKE YOUR APPEARANCE.

11 SO, WHEN WE -- LATER ON WHEN YOU'RE TALKING, WE KNOW WHO YOU
12 ARE.

13 MR. WEBER: JOHN WEBER AND DENNIS LOOMIS FOR

14 PLAINTIFF.

15 THE COURT: AND WHY DON'T YOU INTRODUCE YOUR CLIENT

16 REPRESENTATIVE FOR ME TOO.

17 MR. WEBER: JONATHAN HEMI FROM GLOBEFILL, INC.

18 THE COURT: AND JONATHAN -- HOW DO YOU SPELL THE LAST
19 NAME?

20 MR. WEBER: IT'S HEMI LIKE THE V8, LIKE THE OTHER

21 CHRYSLER --

22 THE COURT: H-E -- H-E-M-I.

23 MR. WEBER: YEAH. HE DIDN'T -- SHE DIDN'T KNOW

24 EITHER. H, AS IN HENRY, E, EDWARDS, M, MARY AND I, IDA.

25 THE COURT: OKAY.

1 COUNSEL.

2 MR. POPLAWSKI: YES. GOOD AFTERNOON, YOUR HONOR.

3 ED POPLAWSKI AND LISA ZANG FOR COASTAL COCKTAILS AND
4 MARK GREENHALL ALSO WITH ME AS CLIENT REPRESENTATIVE. AND
5 INDIVIDUAL REPRESENTATIVE IS MR. GREENHALL HIMSELF.

6 THE COURT: ALL RIGHT.

7 THE RECORD WILL REFLECT WE STARTED A LITTLE BIT AFTER
8 9:00 THIS MORNING, AND NOW AT 2:45 WE'VE REACHED A SETTLEMENT
9 AGREEMENT IN THIS CASE.

10 SO, WHAT I'M GOING TO DO HERE IN A MOMENT IS I'M
11 GOING TO RECITE FROM MY NOTES THE TERMS OF THAT AGREEMENT.

12 I'M GOING TO ASK EACH OF THE LAWYERS TO -- IF I'VE
13 STATED THE TERMS OF THE AGREEMENT CORRECTLY, AND IF THERE'S
14 ANYTHING I NEED TO -- THEY NEED TO CLARIFY OR CORRECT.

15 ONCE WE GET THROUGH THAT EXERCISE, I'LL TURN TO
16 MR. HEMI AND MR. GREENHALL ON BEHALF OF THEIR CLIENTS AND ASK
17 THEM IF THEY AGREE TO THE TERMS OF THE AGREEMENT THAT I'VE
18 STATED.

19 AND, THEN, ONCE THAT'S DONE, WE'LL SEND A MINUTE
20 ORDER TO JUDGE GUILFORD, INDICATE THAT THE CASE HAS BEEN
21 RESOLVED AND THAT DISMISSAL PAPERWORK WILL BE SUBMITTED TO HIM
22 WITHIN 30 DAYS OF TODAY'S DATE.

23 SO, THE PARTIES HAVE REACHED A SETTLEMENT AGREEMENT.

24 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

25 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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11 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

12 XX

13 XX

14 XXXXXXXXXXXXXXXXXXXXXXXX.

15 MR. WEBER, MR. LOOMIS, ON BEHALF OF COASTAL, HAVE I

16 -- I'M SORRY -- ON BEHALF OF GLOBEFILL, HAVE I STATED THE

17 TERMS OF THE PARTIES' AGREEMENT CORRECTLY.

18 MR. WEBER: YOUR HONOR, COULD WE JUST HAVE ONE

19 MOMENT.

20 THE COURT: YES.

21 MR. WEBER: I JUST HAVE ONE QUESTION FROM MY

22 COCOUNSEL.

23 THE COURT: YES.

24 (PARTIES CONFERRING.)

25 XX

1 XX

2 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

3 XX

4 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

5 WITH THAT CORRECTION, MR. POPLAWSKI, HAVE I STATED
6 THE TERMS OF THE PARTIES' AGREEMENT CORRECTLY?

7 MR. POPLAWSKI: ONE CLARIFICATION, YOUR HONOR.

8 THE COURT: OKAY.

9 XX

10 XX

11 XX

12 XXXXXXX.

13 XX

14 XX

15 XX

16 XX

17 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

18 MR. WEBER, MR. LOOMIS, IS THAT YOUR UNDERSTANDING AS
19 WELL?

20 MR. WEBER: IT IS, YOUR HONOR.

21 THE COURT: OKAY.

22 ANY OTHER CLARIFICATIONS FOR ME, MR. POPLAWSKI?

23 MR. POPLAWSKI: NONE, YOUR HONOR.

24 THE COURT: ALL RIGHT.

25 AND YOU AGREE THAT THOSE ARE THE TERMS OF THE

1 SETTLEMENT AGREEMENT?

2 MR. POPLAWSKI: WE DO, YOUR HONOR.

3 THE COURT: OKAY.

4 LET ME TURN THEM TO MR. HEMI.

5 MR. HEMI, ON BEHALF OF GLOBEFILL, INCORPORATED, DO I
6 HAVE YOUR ASSENT TO THOSE SETTLEMENT TERMS?

7 MR. HEMI: YOU DO, YOUR HONOR.

8 THE COURT: ALL RIGHT. THANK YOU.

9 AND TURNING TO YOU, MR. GREENHALL, ON BEHALF OF
10 YOURSELF AND ON BEHALF OF COASTAL COCKTAILS, INC., DO I HAVE
11 YOUR AGREEMENT THAT THOSE ARE THE TERMS OF THE COURT'S
12 SETTLEMENT?

13 MR. GREENHALL: YES, YOU DO.

14 THE COURT: ALL RIGHT.

15 I BELIEVE PLAINTIFF TOLD ME THEY'RE GOING TO TAKE A
16 CRACK AT DRAFTING THE SETTLEMENT AGREEMENT DOCUMENTS.

17 AND THEY'RE GOING TO TRY TO GET THOSE TO YOU, MR.
18 POPLAWSKI AND MS. ZANG, VERY -- IN VERY SHORT ORDER.

19 AND I WILL TELL JUDGE -- JUDGE GUILFORD THAT WE ARE
20 GOING TO GET HIM THOSE DISMISSAL PAPERS, YOU KNOW, BY BASICALLY
21 THIS DATE NEXT MONTH.

22 SO, YOU KNOW, HOPEFULLY YOU ALL HAVE -- CAN GET THAT
23 TO HIM BY THE -- RIGHT AFTER THE PRESIDENT'S DAY HOLIDAY,
24 FEBRUARY 20TH, 2018.

25 MR. POPLAWSKI: THANK YOU, YOUR HONOR.

1 ON BEHALF OF MY CLIENTS --

2 THE COURT: OH, YOU DON'T NEED TO THANK ME.

3 MR. POPLAWSKI: -- AND MY COLLEAGUE, THANKS FOR THE
4 HELP.

5 THE COURT: I GET PAID WHETHER I SETTLE THE CASE OR
6 NOT. BUT I APPRECIATE IT. AND IT WAS VERY NICE TO WORK WITH
7 ALL OF YOU.

8 AND GOOD LUCK WITH ALL OF YOUR RESPECTIVE ENDEAVORS.

9 I SAID SOME NASTY THINGS ABOUT VODKA AT THE BEGINNING
10 OF THE DAY, WHICH NO ONE HELD AGAINST ME. AND, YOU KNOW, I
11 SAID SOME THINGS ABOUT HOT SAUCE AS WELL THAT NO ONE HELD
12 AGAINST ME.

13 BUT GOOD LUCK TO EVERYBODY, AND I'M GLAD WE WERE ABLE
14 TO GET SOMETHING DONE TODAY.

15 THANK YOU.

16 MR. WEBER: THANK YOU, YOUR HONOR.

17 MR. POPLAWSKI: THANK YOU, YOUR HONOR.

18 THE CLERK: THIS COURT IS NOW ADJOURNED.

19 (PROCEEDINGS CONCLUDED AT 2:50 P.M.)
20
21
22
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24
25

C E R T I F I C A T E

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT
FROM THE ELECTRONIC SOUND RECORDING OF THE PROCEEDINGS IN THE
ABOVE-ENTITLED MATTER.

/S/ DOROTHY BABYKIN

1/19/18

FEDERALLY CERTIFIED TRANSCRIBER

DATED

DOROTHY BABYKIN

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